

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Antoni P. Tomsia et al.
Ser. No.: 09/845,597
Filing Date: April 30, 2001
Attorney Docket No.: IB-1627
For: GLASS/CERAMIC COATINGS FOR
IMPLANTS

Examiner: Jennifer A. Chriss
Group Art Unit: 1786
Confirmation No.: 3236

DECLARATION PURSUANT TO 37 CFR § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Robin C. Chiang, do hereby state and declare as follows:

1. I am an attorney of record for this present application.
2. I declare that I personally communicated with Ms. Sharon Jordan, who is an Assistant Director at the United States Department of Energy, Office of Science and Technology Information (hereafter "OSTI"). Ms. Jordan is the contact person referred to me by OSTI with regards to queries regarding Lawrence Berkeley National Laboratory submissions to OSTI. Ms. Jordan indicates she checked the records regarding the paper indicated in Exhibit C (of the Declaration under 37 C.F.R. § 1.132 by Ms. Jean Wolslegel) and that Lawrence Berkeley National Laboratory submitted this paper to OSTI on October 30, 2001. Ms. Jordan further estimates that the earliest date the paper could have been made available to the public on the OSTI website would be November 1, 2001 based on the routine system processes at OSTI.

3. Ms. Jordan also indicated that the "Publication Date" is the date provided by LBNL in its submission, and that it is not the date which OSTI made the paper available to the public.

Respectfully submitted,

Dated: April 12, 2011

By: /Robin C. Chiang/
Robin C. Chiang
Reg. No. 46,619